

IN THE UNITED STATES DISTRICT COURT DISTRICT OF NH
FOR THE DISTRICT OF NEW HAMPSHIRE FILED

Sensa Verogna, Plaintiff,

v.

Twitter Inc., Defendant.

Case #: 1:20-cv-00536-SM

Declaration in Support of Plaintiff's
Motion for Disqualification
of the Honorable Steven M. McAuliffe,
Pursuant to 28 U.S.C. §§ 144 and 455

2022 SEP 14 P 4:42

24 HOUR DEPOSITORY

DECLARATION IN SUPPORT OF PLAINTIFF'S MOTION FOR
DISQUALIFICATION OF THE HONORABLE STEVEN M. MCAULIFFE,
PURSUANT TO 28 U.S.C. §§ 144 and 455

Plaintiff, proceeding anonymously as Sensa Verogna, and proceeding Pro Se, and as his own counsel and PRO SE Counsel of Record, and in support of Plaintiff's Motion and MOL to Disqualify District Judge Steven McAuliffe hereby declare;

1. I am a reasonable New Hampshire resident over eighteen and have personal knowledge of facts below. If called upon to testify, I could and would testify competently as to the matters contained herein.
2. I am the plaintiff in the above captioned case before this Court.
3. I declare, certify, verify and state that I am PRO SE counsel of record for Plaintiff in the above-entitled cause, that I am informed as to the proceedings, and that the Declaration and application are made in good faith and not for the purpose of hindrance or delay.
4. Judge McAuliffe's continual failure to abide by multiple rules, laws and precedents, has substantively and materially prejudiced me and benefited Twitter and its attorneys from Perkins Coie.
5. I believe Judge McAuliffe decided my Doc. 7 Motion for Default by Clerk and subsequent Doc. 39 reconsideration were decided by using Judge Johnstone's unofficial policies so that it would favor

Twitter, and protect the Court's image.

6. I believe Judge McAuliffe denied my Doc. 74 Motion within 24 hours too hastily so that it would favor Twitter and punish me.

7. I believe Judge McAuliffe's August 29, 2022 Order was intended to coerce, and again, to intimidate and retaliate against the Plaintiff for bringing and continuing his claims against Twitter, and himself.

7. I believe it was biased and unfair for Judge McAuliffe to threaten and then dismiss my case, now a second time, when he knew that I was going to Appeal within the statutory limits, and with this latest order, which attempts to utilize a rule meant for a defendant party in a case, and because it is clear the Appeals Court still retains jurisdiction over the case, and because he is obviously disqualified to be a jurist in this case due to self-interests.

8. I believe that when reasonable minds, with knowledge of all the relevant circumstances disclosed by a reasonable inquiry, would conclude that the judge McAuliffe's honesty, integrity, impartiality, temperament, or fitness to serve as a judge is impaired. See Canon 2A.

9. I believe Judge McAuliffe sought to hide the unofficial policies, hide the default, dismiss the case not on the merits, and to drag out or slow down my case so that other similarly situated litigants would be hard pressed to bring similar claims within the required statutory time limits to benefit Twitter.

In not adhering to the following standards, I believe Judge McAuliffe;

10. failed to uphold the integrity and independence of the judiciary by not complying with the Canon code and the law without favor towards the Defendant or the Defendant's Counsel. See Canon 1:

11. failed to avoid impropriety and the appearance of impropriety in not following the rules of the court, laws of the State. See Canon 2.


12. allowed the unofficial policies to continue and to benefit the Defendant and conveys the impression that they [defendants], are in a special position to influence the judge. See Canon 2.

13. has not performed his duties of his judicial office impartially and diligently and has engaged in behavior that is harassing, abusive, prejudiced, or biased. See Canon
14. failed his duty to hear all of the proceedings fairly. See Canon 3A(3).
15. has had ex parte communications with the Defendant's Counsel concerning the proceeding. See Canon 3A(4).
16. failed to take appropriate action based on reliable information of likely misconduct, and therefore have lost confidence in the integrity and impartiality of the judiciary. See Canon 3B(6).
17. has not refrained from inappropriate political activity. See Canon 5.
18. I fear that Judge McAuliffe has prejudged my claims as being without basis and sanctionable, and as a result I fear that I will not receive a fair trial because of the prejudice or bias of Judge McAuliffe.

Wherefore, I believe Judge McAuliffe to be biased in favor of Twitter and its attorneys and should recuse himself from this proceeding.

"I declare, certify, verify and state declare pursuant to U.S. 28 U.S Code 1746 and under penalty of perjury that the foregoing is true and correct.

Dated: September 14, 2022


Anonymously as Sensa Verogna
SensaVerogna@gmail.com
PRO SE Counsel of Record

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of September 2022, the foregoing document was made upon the Defendant, through its attorneys of record to Jonathan M. Eck jeck@orr-reno.com and Julie E. Schwartz, Esq., JSchwartz@perkinscoie.com and Indraneel Sur, Lead Attorney. U.S. DOJ, indraneel.sur@usdoj.gov.